

*Application No. 10/052160*

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Action dated November 21, 2003. Claims 1, 11, 17 and 21 have been amended without intending to abandon or to dedicate to the public any patentable subject matter. No claims have been canceled. Accordingly, Claims 1-22 are now pending. As set out more fully below, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

Initially, Applicant would like to thank the Examiner for the courtesies extended to Applicant's attorney during the telephone conference held with the Examiner on January 5, 2004. During that telephone conference, the rejections of Claims 1 and 11 under 35 U.S.C. § 102 were discussed. In addition, possible amendments to the claims were discussed. The objection to Claim 17 was also discussed. No agreement regarding allowable subject matter was reached.

Claims 17-21 stand objected to on the grounds that "first" in line 13 of that claim should read --second--. However, it is submitted that no correction of this perceived informality is required. In particular, Applicant notes that in Claim 17, only a first spacer element is recited. Accordingly, Applicant respectfully requests that the objection to Claim 17 be reconsidered and withdrawn.

Claims 1-6, 9 and 22 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 4,012,155 to Morris ("Morris"). In addition, Claims 11, 13 and 14 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No 4,627,760 to Yagi et al. ("Yagi"). In order for a rejection under 35 U.S.C. §102 to be proper, each and every element as set forth in a claim must be found, either expressly or inherently described, in a single prior art reference

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(MPEP Section 2131). However, each and every element of the claims cannot be found in the cited references. In particular, Morris does not describe a spacer element comprising a plurality of recesses that may receive a locking assembly of a fastener member and prevent the fastener member from being withdrawn from the spacer element, or other elements recited by Claim 1. Accordingly, reconsideration and withdrawal of the rejections of Claims 1-6 and 9 are respectfully requested. In addition, the Yagi reference does not describe a method for interconnecting first and second objects in which each of the first and second objects is in contact with the spacer element, or that uses a snap fit fastener member that has substantially identical first and second ends. Therefore, for at least these reasons, reconsideration and withdrawal of the rejections of Claims 11, 13 and 14 are respectfully requested.

Claim 1 is generally directed to a universal snap fit spacer system. The recited system includes a spacer element having an interior bore and a plurality of recesses formed in the interior bore. As amended, Claim 1 recites that the locking assembly of the fastener member also provided as part of the system may be received in any one of a number of the plurality of recesses to prevent the fastener member from being withdrawn from the spacer element.

The Morris reference is generally directed to a snap lock connector for components such as knock down furniture components. Accordingly, Morris discusses legs 12 having a female member 40. However, there is no disclosure in Morris of a spacer element having a plurality of recesses in which a fastener member may be received to prevent the fastener member from being withdrawn from the spacer element. Instead, the disclosure in Morris is limited to legs or components 12 that each have no more than a single recess (female member 40) that prevents a

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received male member 20 from being removed. Therefore, Claim 1 is not anticipated by Morris, and the rejections of Claims 1-6, 9 and 22 should be reconsidered and withdrawn.

Claim 11 is generally directed to a method for interconnecting objects. According to the method, a first snap fit fastener member is interconnected to a first object and to a spacer element. In addition, a second snap fit fastener member is interconnected to a second object and to the spacer element such that the first and second objects are fastened to one another. Claim 11 further recites that each of the first and second objects is in contact with the spacer element, and that the fastener members each have first and second ends that are substantially identical to one another.

The Yagi reference is generally directed to a plate holder. According to Yagi, plate holders (including reference numerals 1-5, see Figs. 1 and 7 of Yagi) hold a plate 23 perpendicularly between base plates 21. (Yagi, Figure 7; col. 2, lns. 30-53 and col. 3, lns. 9-18). However, Yagi does not disclose a method for interconnecting first and second objects in which the first and second objects are in contact with a spacer element. Instead, the plate holders of Yagi do not allow the member identified in the Office Action as a spacer element (plate 23) to contact the elements identified as first and second objects (baseplates 21). (Yagi Figure 7). Furthermore, Yagi does not disclose the use of snap fit fasteners that have substantially identical first and second ends, as recited by amended Claim 11. Instead, Yagi discusses the use of plate holders having a first end comprised of a flat base 1 and a second end formed from holding plates 2 and 3 and elastic non-return pieces 4 and 5. (Yagi Figures 2 and 3; col. 2, lns. 30-53).

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Accordingly, Claim 11 is not anticipated by Yagi, and the rejections of Claims 11, 13 and 14 should be reconsidered and withdrawn.

Claim 14 stands rejected under 35 U.S.C. § 103 as being unpatentable over Yagi in view of U.S. Patent No. 3,836,703 to Coules. In order to establish a *prima facie* case of obviousness under Section 103, there must be some suggestion or motivation to modify the reference or to combine the reference teachings, there must be a reasonable expectation of success, and the prior art reference or references must teach or suggest all of the claim limitations (MPEP § 2143). However, all of the claim limitations cannot be found in the cited references. Accordingly, the rejection of Claim 14 as obvious should be reconsidered and withdrawn.

Claim 14 generally depends from Claim 11. In particular, Claim 14 recites that the first object recited by Claim 11 is a circuit board having a first thickness and the second object recited by Claim 11 is a second circuit board having a second thickness. As noted above, Claim 11 recites that the first and second objects are in contact with a spacer element, and are interconnected to the spacer element by fasteners with ends that are substantially identical to one another.

The Coules reference is generally directed to a circuit board spacer support. In particular, Coules discusses a one piece spacer support for a circuit board. (Coules abstract). Coules is cited in the Office Action for disclosing circuit boards of different thicknesses. However, Coules does not supply the elements missing from the Yagi reference as discussed above. Accordingly, the cited references, whether considered alone or in combination, do not teach, suggest or

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disclose each and every element of Claim 14, and therefore the rejection of Claim 14 should be reconsidered and withdrawn.

Applicant additionally notes that the background references cited in connection with the final Office Action also do not teach, suggest or disclose each and every element of the pending claims. For example, U.S. Patent No. 2,267,126 to Moretti, noted by the Examiner during the telephone conference of January 5, 2004, as being relevant to Claim 11, does not teach, suggest or disclose snap fit fasteners that can be interconnected to a spacer element and that have substantially identical first and second ends, as recited by amended Claim 11.

Applicant notes with appreciation the Examiner's indication that Claims 7, 8, 10, 12, 15 and 16 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. However, as set forth above, it is submitted that the rejections of the respective base claims should be reconsidered and withdrawn. Accordingly, Claims 7, 8, 10, 12, 15 and 16 should be allowed in their present form.

Applicant additionally notes with appreciation the Examiner's indication that Claims 17-21 would be allowable if rewritten to overcome the objections set forth in the final Office Action. However, as discussed above, it is respectfully submitted that the objection to Claim 17 should not have been entered. Accordingly, Claims 17-21 should be allowed in their present form.

The amendments to Claims 17 and 21 correct minor typographical errors, and do not narrow the scope of the claims.

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The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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